



WEB COPY

WP No. 38240 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 38240 of 2024

and

WMP No.41375 of 2025

D.Rajan
S/o.Devadass,
No. 16/10,2nd Street,
Kailasapuram,
West Tambaram, Chennai -600 045.

..Petitioner

Vs

1. The Government of Tamil Nadu
Rep. by its Secretary to Government,
Natural Resources Department,
Fort St.George,
Chennai -600 009.
2. The Director of Geology and Mining,
Department of Geology and Mining,
Guindy, Chennai -600 032.
3. The District Collector,
Collectorate,
Kanchipuram -631501.

..Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records of the 3rd respondent in his proceedings in Rc. 416/Q3/2023 dated 18.11.2024 and to quash the same as illegal.



For Petitioner: Mr.Sivakumar
for M/s.K.M.Vijayan Associates

For Respondents: Mr.Stalin Abimanyu
Additional Government Pleader

ORDER

This petition has been filed challenging the impugned order of the third respondent dated 18.11.2024 and seeking to quash the same.

2.The learned counsel for the petitioner would submit that, the Government of Tamil Nadu, granted a quarry lease in favour of the petitioner for quarrying rough stone and earth from the patta land over an extent of 1.81.5 Hectares in Survey Nos.370/1 and 371 situated in Naduveerapattu Village, Sriperumbudur Taluk, Kancheepuram District, for a period of 5 years. Pursuant thereto, a lease agreement was executed on 07.05.2015 for a period of five years commencing from 07.05.2015 and ending on 06.05.2020. The 3rd respondent , without due consideration and prior notice, issued a demand notice to the licensees as excess quarrying, which was subsequently challenged before the Division Bench of this Court in W.A No.91 of 2021 etc., batch cases. Though the petitioner obtained the Environmental Clearance on 01.04.2015, the third



respondent District Collector, issued a show cause notice dated 27.02.2024 demanding the petitioner to pay a penalty of Rs.4,17,43,000/-, alleging Environment Clearance violation for the period from 01.04.2017 to 31.03.2018. In response to the same, the petitioner gave his reply as such the same is only applies to the operators who are mining without environmental clearance and it will not apply to the petitioner. Despite this, the 3rd respondent, without conducting any inspection and without any substantial proof of allegation of excess mining by the petitioner, issued the impugned order dated 18.11.2024, reiterating the earlier demand. Since the petitioner obtained Environment Certificate on 01.04.2015 prior to 630 days i.e before 10.01.2017, the impugned order reflects non-application of mind and is liable to be set aside. Accordingly, he prayed for appropriate orders.

3.The learned Additional Government Pleader appearing for the respondents would fairly submit that this Court may set aside the impugned order and remand the matter back to the third respondent / District Collector for fresh consideration.

4.Heard the learned counsel appearing on either side and perused the materials on record.



WEB COPY

5. Considering the submissions made by both sides, the impugned order dated 18.11.2024 passed by the third respondent is set aside, and the matter is remanded back to the third respondent for fresh consideration, limited solely to ascertaining whether any excess quarrying was carried out during the lease period. The third respondent shall conduct an enquiry and pass appropriate orders in accordance with law, after affording a reasonable opportunity of hearing to the petitioner, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

01-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Uma



To

1. The Secretary to Government,
Natural Resources Department,
Fort St.George, Chennai -600 009.
2. The Director of Geology and Mining,
Department of Geology and Mining,
Guindy, Chennai -600 032.
3. The District Collector,
Collectorate, Kanchipuram -631 501.



WEB COPY

WP No. 38240 of 2



M.DHANDAPANI, J.

Uma

**WP No. 38240 of 2024 and
WMP No.41375 of 2024**

01-04-2026